

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

v.

CREDIT SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP.; MORTGAGE ASSET
SECURITIZATION TRANSACTIONS, INC.; DLJ
MORTGAGE CAPITAL, INC.; UBS REAL ESTATE
SECURITIES INC.; CREDIT SUISSE SECURITIES (USA)
LLC; UBS SECURITIES LLC; LEE FARKAS; PAUL R.
ALLEN; RAY BOWMAN; DELTON DE'ARMAS;
DESIREE E. BROWN; ANDREW A. KIMURA; JEFFREY
A. ALTABEF; EVELYN ECHEVARRIA; MICHAEL A.
MARRIOTT; THOMAS ZINGALLI; DAVID MARTIN;
PER DYRVIK; HUGH CORCORAN; and PETER
SLAGOWITZ,

No. 3:11-cv-30048-MAP

Defendants.

**ASSENTED-TO MOTION FOR EXTENSION OF
DEFENDANTS JEFFREY A. ALTABEF'S AND PER DYRVIK'S TIME TO RESPOND
TO PLAINTIFF'S MOTION TO AMEND THE COMPLAINT WITH RESPECT TO,
AND FOR RECONSIDERATION OF THE DISMISSAL OF, DEFENDANTS JEFFREY
A. ALTABEF AND PER DYRVIK**

Defendants Jeffrey A. Altabef and Per Dyrvik ("Defendants"), hereby move for an extension of time to respond to the Motion for Leave to Amend the Complaint with Respect to, and for Reconsideration of the Dismissal of, Jeffrey A. Altabef and Per Dyrvik (Dkt. No. 72) (the "Motion"), filed by Plaintiff Massachusetts Mutual Life Insurance Company ("Plaintiff") in the above-captioned action (the "Action"), as stipulated to by the parties, through their undersigned counsel, as set forth below. Plaintiff, through its undersigned counsel, assents to the motion.

On February 25, 2011, Plaintiff commenced the above-captioned action by filing a complaint (“Complaint”) in the United States District Court for the District of Massachusetts.

By Memorandum and Order entered on February 14, 2012, the Court dismissed Jeffrey A. Altabef and Per Dyrvik from the Action.

On February 29, 2012, Plaintiff filed its Motion for Leave to Amend the Complaint with Respect to, and for Reconsideration of the Dismissal of, Jeffrey A. Altabef and Per Dyrvik.

Counsel for Plaintiff and counsel for Defendants have conferred and have stipulated and agreed, subject to the approval of the Court, as follows:

1. Defendants’ time to respond to the Motion shall be extended to March 21, 2012.

2. Plaintiff may file a reply brief within seven (7) days following Defendants’ response to the Motion.

3. By entering into this stipulation, Plaintiff and Defendants do not waive, and expressly preserve, any and all rights and defenses, including but not limited to the right to replead or amend the allegations in support of any claims or assert any defenses relating to jurisdiction, venue, arbitration, service of process and statute of limitations or any counter-claims that may be available in this Action.

WHEREFORE, the parties respectfully request that this Court:

1. Grant the instant motion to enter an Order per the terms stipulated to by the parties, as set forth herein.

2. Grant such further relief as may be just and proper.

LOCAL RULE 7.1 CERTIFICATION

I, Kathy B. Weinman, certify that counsel for Plaintiffs have assented to this motion after conference.

Dated: March 14, 2012

Respectfully submitted,

/s/ Kathy B. Weinman

Kathy B. Weinman (BBO No. 541993)
Azure M. Abuirmeileh (BBO No. 670325)
COLLORA LLP
600 Atlantic Avenue
Boston, MA 02210
Telephone: 617-371-1000
Fax: 617-371-1037
kweinman@collorallp.com
aabuirmeileh@collorallp.com

Of Counsel:

Thomas C. Rice (trice@stblaw.com)
(admitted *pro hac vice*)
David J. Woll (dwoll@stblaw.com)
(admitted *pro hac vice*)
Alan Turner (aturner@stblaw.com)
(admitted *pro hac vice*)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017
Tel: (212) 455-2000
Fax: (212)801-2502

Counsel for Defendant Per Dyrvik

/s/ Jonathan Sablone

Jonathan Sablone (BBO 632998)
Matthew T. McLaughlin (BBO 660878)
NIXON PEABODY LLP

100 Summer Street
Boston, Massachusetts 02110
jsablone@nixonpeabody.com
mmclaughlin@nixonpeabody.com

Of Counsel:
Richard W. Clary
(*pro hac vice*)
Julie A. North
(*pro hac vice*)
Michael T. Reynolds
(*pro hac vice*)
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
(212) 474-1000

Counsel for Defendant Jeffrey A. Altabef

/s/ Edward J. McDonough, Jr.
Edward J. McDonough, Jr. (BBO 331590)
Stephen E. Spelman (BBO 632089)
EGAN, FLANAGAN AND COHEN, P.C.
67 Market Street, P.O. Box 9035
Springfield, Massachusetts 01102
ejm@efclaw.com
ses@efclaw.com

Of Counsel:
Philippe Z. Selendy
Jennifer J. Barrett
QUINN EMANUEL URQUHART
& SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010-1601

*Counsel for Plaintiff Massachusetts Mutual Life
Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing on March 14, 2012.

/s/ *Kathy B. Weinman*
Kathy B. Weinman

DATED: March 14, 2012